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**Changes to legislation:** There are currently no known outstanding effects for the Convention Rights (Compliance) (Scotland) Act 2001, Paragraph 40. (See end of Document for details)

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## SCHEDULE TRANSITIONAL PROVISIONS

### PART 3

#### EXISTING LIFE PRISONERS RECOMMENDED FOR RELEASE

- 40 Notwithstanding that the Parole Board has made a direction under paragraph 37(b) above, the punishment part of the prisoner's sentence shall be regarded as having been served as at the end of the day immediately before the provisional release date and section 2 of the 1993 Act as amended by this Act shall apply to the prisoner as if an order such as mentioned in subsection (2) of that section had been made in respect of the prisoner when sentenced.

**Changes to legislation:**

There are currently no known outstanding effects for the Convention Rights (Compliance) (Scotland) Act 2001, Paragraph 40.